

Matthew W. Gissendanner  
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January 29, 2021

**VIA ELECTRONIC FILING**

The Honorable Jocelyn G. Boyd  
Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
101 Executive Center Drive  
Columbia, South Carolina 29210

RE: Dominion Energy South Carolina, Incorporated's Establishment of a  
Solar Choice Metering Tariff Pursuant to S.C. Code Ann. Section 58-40-  
20 (See Docket No. 2019-182-E)  
Docket No. 2020-229-E

Dear Ms. Boyd:

Enclosed for filing on behalf of Dominion Energy South Carolina, Inc. ("DESC")  
is DESC's First Set of Discovery Requests to the South Carolina Office of Regulatory  
Staff.

By copy of this letter DESC is providing a copy of these requests to the parties  
of record and encloses a certificate of service to that effect.

If you have any questions or need anything further, please do not hesitate to  
contact me.

Very truly yours,

A handwritten signature in blue ink that reads "Matthew W. Gissendanner".

Matthew W. Gissendanner

MWG/kms

Enclosure

cc: Jeffrey M. Nelson, Esquire  
Jeffrey W. Kuykendall, Esquire  
Jenny R. Pittman, Esquire  
Frank Knapp, Jr.

Thadeus B. Culley, Esquire  
R. Taylor Speer, Esquire  
Katherine Lee Mixson, Esquire  
David I. Neal, Esquire

(all via electronic mail only w/enclosures)

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2020-229-E**

Dominion Energy South Carolina, Inc.'s ) Establishment of a Solar Choice Metering Tariff ) Pursuant to S.C. Code Ann. Section 58-40-20 )	)	<b>DOMINION ENERGY</b> <b>SOUTH CAROLINA,</b> <b>INC.'S FIRST SET OF</b> <b>DISCOVERY REQUESTS</b>
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**TO: THE SOUTH CAROLINA OFFICE OF REGULATORY STAFF**

Pursuant to S.C. Code Ann. Regs. §§ 103-833 and 103-835, and Rule 36 of the South Carolina Rules of Civil Procedure (“SCRCP”), Dominion Energy South Carolina, Inc. (“DESC”), by and through its undersigned counsel, requests that the South Carolina Office of Regulatory Staff (the “ORS”) admit or deny the following requests to admit, answer the corresponding interrogatories under oath and produce all documents or other materials responsive to the corresponding requests for production (collectively, the “Discovery Requests”) within twenty (20) days of the date of service hereof to the address of the undersigned, set forth below.

**INSTRUCTIONS**

**IT IS HEREIN REQUESTED:**

1. That all information, documents, and other materials be provided to the undersigned in the format as requested.
2. That all responses to the below Discovery Requests be labeled using the same numbers as used herein.

3. That if the requested information, documents, or other materials are found in other places or in other exhibits, reference not be made to those, but, instead, that the information, documents, or other materials be reproduced and placed in the responses to the interrogatory or requests for production in the appropriate sequence.

4. That any inquiries or communication relating to questions concerning clarifications be directed to the undersigned.

5. Provide copies of the information responsive to each Discovery Request in native electronic working format with all data (including source data) and formulas intact in an unprotected and unlocked form to allow auditing and verification of inputs, methods, and formulas.

6. That each Discovery Request be reproduced at the beginning of the response thereto.

7. That the ORS provide the undersigned with responses to the Discovery Requests as soon as possible, but not later than twenty (20) days from the date of service hereof.

8. If the response to any Discovery Request is that the information requested is not currently available, state why the information is not currently available and when the information requested will become available.

9. The Discovery Requests be deemed continuing so as to require the ORS to supplement or amend its responses as any additional information, documents, or other materials become available up to and through the date of hearing.

10. If a privilege not to answer is claimed, identify and describe each matter as to which privilege is claimed, the nature of the privilege, and the legal and factual basis for each such claim. In the event that a claim of privilege is raised pursuant to a common interest, provide the common interest agreement or joint defense agreement upon which the privilege is raised.

11. If a refusal to answer is based upon the grounds that same would be unduly burdensome, identify the number and nature of documents needed to be searched, the location of the documents, and the number of man hours and costs required to conduct the search.

12. Answer based upon the entire knowledge of the ORS, including information in the possession of the ORS, its officers, members, parents, subsidiaries, directors, consultants, representatives, agents, experts, and attorneys, if any.

13. If any Discovery Request cannot be answered in full, answer to the extent possible and specify the reasons for Your inability to provide a complete answer.

14. Please provide responses to the Requests electronically. To the extent this is impracticable, the responses, including any responsive documents, should be provided at the address of the undersigned, set forth below, or some mutually convenient location otherwise agreed to by the parties.

### **DEFINITIONS**

1. The term “Act 62” shall mean S.C. Act No. 62 of 2019, which was signed into law on May 16, 2019.

2. The term “Docket” shall mean Commission Docket No. 2020-229-E.

3. The term “communication(s)” when used in these Discovery Requests shall include the transmittal of information by any means, written, oral, electronic or otherwise.

4. The terms “ORS,” “You,” and “Your” shall mean the South Carolina Office of Regulatory Staff, together with its employees, agents, consultants, experts (including Brian Horii), subsidiaries, affiliates, parent, and other operational or functional units and all officers, directors, owners, members, employees, agents, and representatives of the ORS. The terms also include all other persons acting on behalf of the ORS.

5. The term “DESC” shall mean Dominion Energy South Carolina, Inc., formerly South Carolina Electric & Gas Company, together with its employees, agents, consultants, experts, subsidiaries, affiliates, parents, and other operational or functional units and all officers, directors, owners, members, employees, agents, and representatives of these entities. It also includes all other persons acting on behalf of DESC.

6. The term “DESC Solar Choice Tariffs” means the net energy metering tariffs proposed by DESC in this Docket and filed on December 15, 2020, in this Docket.

7. The terms “document(s)” shall mean all written, recorded or graphic matters whatsoever and all non-identical copies thereof, including but not limited to papers, books, records, letters, photographs, correspondence, communications, electronic mail, text messages, social media records, telegrams, cables, telex messages, evidences of payment, checks, memoranda, notes, notations, work papers, transcripts, minutes, reports, recordings of telephone or other conversations, statements, summaries, opinions, studies, analyses, evaluations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, advertisements, guidelines, charts, manuals, brochures, publications, schedules, price lists, subscription lists, customer lists, journals, statistical reports, desk calendars, appointment books, diaries, lists, tabulations, newsletters, drafts, proofs, galleys, or other prepublication forms of materials, telephone lists or indexes, rolodexes, computer printouts, data processing program libraries, data processing input and outputs, microfilm, microfiches, CD-ROMs, books of account, records or invoices reflecting business operations, all records kept by electronic, photographic, or mechanical means, any notes or drafts relating to any of the foregoing, and any other documents as defined in Rule 34 of the SCRCF of any kind in Your possession, custody or control or to which You have access or

knowledge of its existence. The above list is not meant to be exhaustive but to demonstrate the breadth of the items that may be considered “documents.”

8. The terms “identify” or “identity” used with reference to an individual means to state his or her full name, present or last known address, present or last known position and business affiliation, and employer, title, and position at the time in question. If the person was an officer, director, trustee, commissioner, or employee, also state the job title and areas of responsibility.

9. The terms “identify” or “identity” used with reference to a writing means to state the date, author, type of document (e.g., letter, memorandum, telegram, chart, note, application, etc.), or other means of identification, and its present location or custodian. If any such document is no longer in Your possession or subject to Your control, state what disposition was made of it.

10. The term “Joint Solar Choice Tariff” means the Joint Solar Choice tariff presented by Witness Beach in this Docket, and as defined on page 3 of Witness Beach’s Direct Testimony.

11. The term “person” shall mean any individual, partnership, firm, association, corporation, government agency, or other business or legal entity.

12. The terms “relating to,” “relate to,” and “related to” mean directly or indirectly, expressly or implied, mentioning, describing, pertaining to, being connected with, or reflecting upon the subject matter of the specific request.

13. The term “Testimony” means Witness Horii’s direct testimony and exhibits, if any, submitted in this Docket.

14. Please construe “and” as well as “or” either disjunctively or conjunctively as necessary to bring within the scope of these Discovery Requests any information which might otherwise be construed outside their scope.

### **REQUESTS FOR ADMISSION**

1. Admit that the DESC Solar Choice Tariffs would permit customer-generators to “consume energy behind the meter without penalty” in accordance with S.C. Code Ann. § 58-40-20(G)(2).
2. Admit that the modifications to the DESC Solar Choice Tariffs proposed by You in the Testimony would result in a reasonable payback period for customer-generators.
3. Admit that increasing the cost-shift under the DESC Solar Choice Tariffs would mean that non-participating DESC customers, with all else being equal, would pay more for electric service as a result of the increased cost-shift.
4. Admit that S.C. Code Ann. § 58-40-20(A)(3) of Act 62 requires DESC to consider the impact to all of DESC’s customers—rather than favoring net energy metering customers—when allocating costs and benefits under the Solar Choice Program.
5. Admit that the Joint Solar Choice Tariff does not eliminate cost-shift “to the greatest extent possible” in accordance with S.C. Code Ann. § 58-40-20(A)(3).
6. Admit that the Joint Solar Choice Tariff does not comply with the section 58-40-20(G) of Act 62.

### **INTERROGATORIES**

1. To the extent You denied any Request for Admission above, for each Request for Admission denied, state separately, with particularity and in detail, the basis and reasons for such denial and state the full name, title, job description if applicable, phone number, and present or last known business and residence addresses of any witness(es) having any information regarding or who may testify regarding the basis for Your denial.

2. Describe with detail and specificity Your experience with consumer protection complaints regarding rooftop solar (whether leased or owned) in South Carolina.

3. Describe with detail and specificity the affect that Your modifications to the DESC Solar Choice Tariffs would have on the payback periods identified in DESC Witness Robinson's direct testimony.

4. Describe with detail and specificity any predatory rooftop solar leasing practices known to You which occur or may have occurred in South Carolina.

5. Describe with detail and specificity the method, including all studies, data, and supporting assumptions, by which You analyzed the Joint Solar Choice Tariff.

6. Describe with detail and specificity all findings from your analysis of the Joint Solar Choice Tariff.

7. Describe with detail and specificity all rate-making tools considered by You to be "best practices" that are utilized or failed to be utilized by the Joint Solar Choice Tariff.

8. Describe with detail and specificity all rate-making tools considered by You to be "best practices" in eliminating cost-shift that are utilized or failed to be utilized by the Joint Solar Choice Tariff.



9. Describe with detail and specificity how the Joint Solar Choice Tariff differs from other net energy metering programs known by You that have been adopted in other Southeastern jurisdictions.

10. Describe with detail and specificity how You believe the Joint Solar Choice Tariff would affect the rooftop solar industry at large if adopted by the Commission.

11. Describe with detail and specificity how You believe the Joint Solar Choice Tariff would affect non-participating customers if adopted by the Commission.

12. Describe with detail and specificity all rate-making tools considered by You to be “best practices” that are utilized by the DESC Solar Choice Tariffs.

13. Describe with detail and specificity all rate-making tools considered by You to be “best practices” in eliminating cost-shift that are utilized by the DESC Solar Choice Tariffs.

14. Describe with detail and specificity Your assessment of the Joint Solar Choice Tariff’s impact on low-income customers.

15. Describe with detail and specificity Your assessment of the DESC Choice Tariffs’ impact on low-income customers.

16. Describe with detail and specificity whether You believe Witness Beach’s utilization of “societal benefits” in developing the Joint Solar Choice Tariff is a “best practice.”

17. Describe with detail and specificity whether You believe that solar generation delivered from a customer-generator to DESC should be valued differently than solar generation delivered from a utility-scale generator to DESC.

18. Describe with detail and specificity whether You believe that it is reasonable to include an assumption regarding the continued availability of the investment tax credit when forecasting solar adoption in DESC’s service territory.

19. Describe with detail and specificity whether You believe the following statement is an accurate characterization of a subscription fee:

It effectively charges Solar Choice customers for electricity that they produce and consume directly behind the meter because its foundation lies in a misguided and unfounded notion that a “subsidy” is created any time customer generation displaces energy that would have otherwise been purchased from the Company. It is effectively the same as levying an additional charge on customers that reduce their electricity consumption by installing LEDs or more efficient appliances.

**REQUESTS FOR PRODUCTION**

1. Produce all documents identified, described, relied upon, or referred to in responding to DESC's First Set of Interrogatories served contemporaneously herewith.
2. Produce all communications identified, described, relied upon, or referred to in responding to DESC's First Set of Interrogatories served contemporaneously herewith.
3. Produce all workpapers, documents and correspondence relating to your analysis and the impact of the Joint Solar Choice Tariff.
4. Produce all documents relating to complaints issued to You relating to rooftop solar leasing.

Respectfully Submitted,



K. Chad Burgess, Esquire

Matthew W. Gissendanner, Esquire

**Dominion Energy South Carolina, Inc.**

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***Attorneys for Dominion Energy South  
Carolina, Inc.***

Cayce, South Carolina

This 29th day of January, 2021

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2020-229-E**

Dominion Energy South Carolina, Inc.'s )  
Establishment of a Solar Choice Metering Tariff )  
Pursuant to S.C. Code Ann. Section 58-40-20 )  
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**CERTIFICATE OF  
SERVICE**

This is to certify that I have caused to be served on this day one (1) copy of **DOMINION ENERGY SOUTH CAROLINA, INC.'S FIRST SET OF DISCOVERY REQUESTS** via electronic mail upon the persons named below, addressed as follows:

**Frank Knapp, Jr.**  
[fknapp@knappagency.com](mailto:fknapp@knappagency.com)

**Katherine Lee Mixson**  
[klee@selcsc.org](mailto:klee@selcsc.org)

**Jeffrey M. Nelson**  
[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)

**David L. Neal**  
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**Thadeus B. Culley**  
[thad@votesolar.org](mailto:thad@votesolar.org)

  
\_\_\_\_\_  
Karen M. Scruggs

This 29th day of January, 2021